

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DANIEL GONZALEZ, et al.,
Plaintiff(s),

v.

DIAMOND RESORTS INTERNATIONAL
MARKETING, INC., et al.,
Defendant(s).

Case No.: 2:18-cv-00979-APG-NJK

Order

[Docket Nos. 164, 167]

Pending before the Court is Plaintiffs' motion to compel. Docket No. 164. That motion was filed without a complete meet and confer, which Plaintiffs blame on Defendant's insistence on instead focusing on their attempt to stay proceedings. *See* Docket No. 164-1 at ¶¶ 2-7. Also pending before the Court is Defendant's motion to extend the time to respond to the motion to compel. Docket No. 167. Defendants argue that more time is needed to respond to the motion because Plaintiffs did not engage in a complete meet and confer. *See id.* at 3. Defendant also hints that an amicable resolution may be achievable through further discussions. *See id.*

This is not the manner in which litigation is supposed to proceed. The Court expects better cooperation between counsel moving forward. The Court also cautions that attorneys may not grant themselves the relief they seek through gamesmanship. Nonetheless, it is clear that a rule-compliant meet and confer did not take place, *e.g.*, Local Rule IA 1-3(f), and that one should take place in the circumstances. Accordingly, the motion to compel is DENIED without prejudice. The motion to extend time is DENIED as moot.

1 A meet and confer must be scheduled now to take place on May 21, 2020.¹

2 IT IS SO ORDERED.

3 Dated: May 14, 2020

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5 Nancy J. Koppe
6 United States Magistrate Judge
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26 ¹ The Court does not herein opine on the merits of the motion to stay. In the event the
27 motion to stay is granted before the time set for the meet and confer, then it will be deemed
28 automatically vacated. In the event that either the motion to stay is denied or remains pending at
that time, then the meet and confer must proceed with meaningful discussion as required by the
governing rules and case law.